

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Cr1.O.P. No.4906 of 2017

S.Rajagopalan

... Petitioner

Vs

State rep. by the
The Inspector of Police,
Central Crime Branch, EPF-1 Wing,
Team-II,
Vepery, Chennai 7.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the conditions imposed on the petitioner by order dated 04.03.2017 made in M.P.No 317 of 2017 in X.Cr.No.278 of 2015 on the file of the Learned III Metropolitan Magistrate Court, George Town, Chennai.

For Petitioner : Mr.R.Thiagarajan

For Respondent : Mr.C.Emalias, APP

ORDER

The present criminal original petition has been filed to modify the conditions imposed on the petitioner by order dated 04.03.2017 passed by the learned III Metropolitan Magistrate, George Town, Chennai, in M.P.No.317/17 in X.Cr.No.278/15.

2. It is the case of the petitioner that he was arrested on 26.10.2015 and remanded to judicial custody on 27.10.2015, in connection with X.Cr.No.278/15 for the alleged offences punishable under sections 406, 420 and 465 IPC. Hence, he filed a petition in M.P.No.317 of 2017 in X.Cr.No.278 of 2015 before the learned III Metropolitan Magistrate, George Town, Chennai, seeking bail. By order dated 04.03.2017, the learned Magistrate granted bail to the petitioner on conditions that the petitioner shall execute a bond for a sum of Rs.1,00,000/- with two

sureties each for a like sum and both the sureties shall possess immovable properties in their name and the title deed value for the property shall be not less than Rs.30 lakhs and the petitioner shall deposit Rs.10 lakhs before this Court to the credit of Cr.No.278/15, on the file of Central Crime Branch, EPF-1 wing, Team-II, Vepery, Chennai. Aggrieved over the same, the petitioner is before this Court with the present petition seeking modification of the said conditions.

3. Learned counsel for the petitioner submitted that the learned magistrate has imposed stringent conditions on the petitioner, as such, he is unable to comply with the same, due to which, he could not come out on bail. Therefore learned counsel sought for modification of the said order.

4. On the other hand, learned Additional Public Prosecutor, who took notice for the respondent, has raised serious objection to modify the said conditions imposed on the petitioner.

5. Heard the rival submissions made on either side and perused the materials placed before this court.

6. It is seen from the order passed by the learned Magistrate that the petitioner has been absconding from the clutches of law even though he was granted interim bail by the learned Principal Sessions Judge, Chennai and this Court on three occasions. Further, he did not keep up his undertaking and has committed blatant breach of the interim bail orders. Apart from that, he failed to settle the matter as promised by him and also surrender before the Court on due date, thereby he acted in disobedience of law. It is further seen that as per the direction of this Court, a special team was formed to secure the petitioner. Thus, considering the attitude of the petitioner, which clearly shows that he is not a law abiding citizen, the learned Magistrate has rightly imposed such stringent conditions. This Court finds no reason to modify the same.

7. Hence, this petition stands dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jv/bri

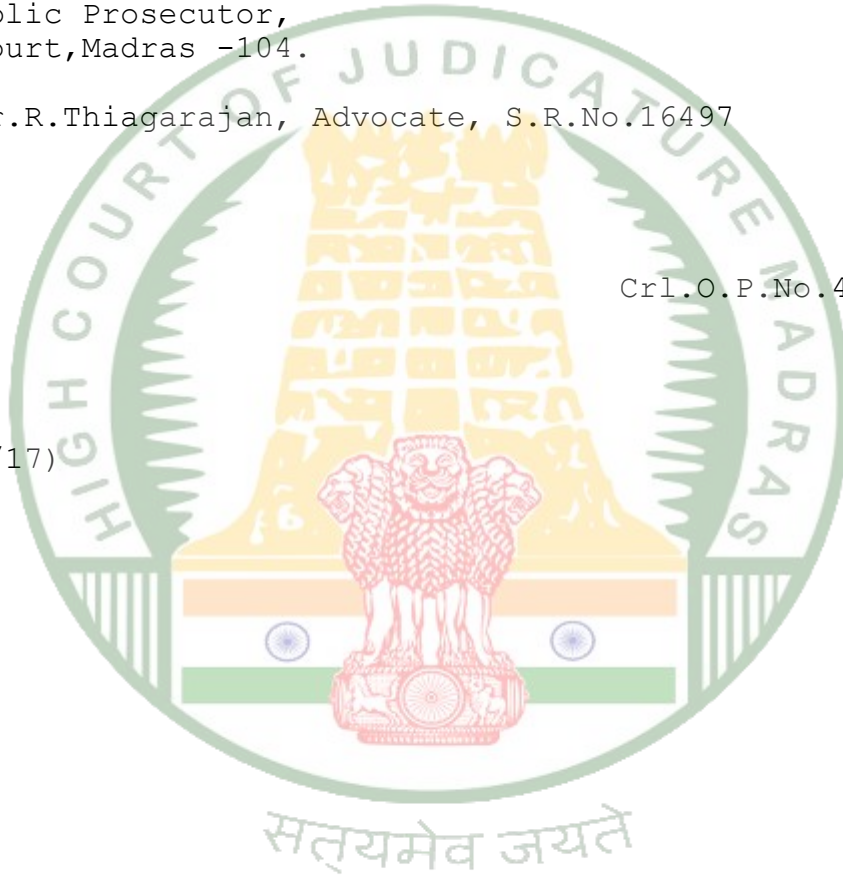
To

1. The III Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
Central Crime Branch, EPF-1 Wing,
Team-II, Vepery, Chennai.
3. The Public Prosecutor,
High court, Madras -104.

+1cc to Mr.R.Thiagarajan, Advocate, S.R.No.16497

Crl.O.P.No.4906 of 2017

ad(co)
rmp(28/03/17)



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